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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,793	11/15/2001	David M. Holbrook	HLB-1001-US	5294

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EXAMINER

ALI, MOHAMMAD

ART UNIT PAPER NUMBER

2177

DATE MAILED: 02/25/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/002,793

Applicant(s)

HOLBROOK, DAVID M.

Examiner

Mohammad Ali

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The application has been examined. Claims 1-20 are pending in this Office Action.

Priority

2. Priority has been considered for provisional application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conard et al. ('Conard' hereinafter), US Patent 6,028,605 in view of Egger et al. ('Egger' hereinafter), US Patent 5,832,494.

With respect to claim 1,

Conard discloses a method, for use in a user computer system including a pointing device and a visual display unit, for providing a graphical user interface to a computer program for displaying search results from a search conducted in a

hierarchical data set (see col. 1, lines 64 to col. 2, lines 15, Figs. 12-13), the method comprising:

receiving search results from a search query of a hierarchical data set (see col. 2, lines 2-15 and col. 11, lines 49-53 et seq);

and displaying on a user screen, a graphical representation parent categories for search results (see col. 2, lines 2-15) wherein the search results appear within their respective parent categories (see col. 11, lines 49-55 et seq).

Conard does not explicitly indicate the claimed receiving search results.

Egger discloses claimed receiving search results (the Graphical User Interface (GUI) Program may be used to display the results of the search on the display. The GUI is a user interface program. The GUI Program contains three main subroutines: Cases-In Display Subroutine (CIDS), Cases-After Display Subroutine (CADS) and Similar-Cases Display Subroutine (SCDS). The main subroutines receive information from the corresponding subroutines Cases-In, Cases-After and Similar-Cases of the CSPDM, see col. 5, lines 53-67).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the receiving search results of Egger's teachings would have allowed Conard's system graphically displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

As to claim 2,

Conard teaches further comprising: selecting a parent category from the display on the user screen (see col. 11, lines 46-55 et seq); and

displaying on the user screen a graphical representation of the search results in the selected parent category in the context of the search results respective first uncommon level of subcategories (see col. 11, lines 46-55 et seq).

Conard does not explicitly indicate the claimed subcategories.

Egger discloses the claimed subcategories (see col. 43, lines 30-34, Egger).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the subcategories of Egger's teachings would have allowed Conard's system graphically displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

With respect to claim 3,

Conard discloses a method of presenting search results (Abstract and col. 2, lines 2-15), comprising:

receiving search results from a database (see col. 2, lines 2-15);
organizing the search results by category (see col. 11, lines 4-21 et seq); and
graphically displaying a three-dimensional representation the search results within at least one category icon (see col. 10, lines 30-35), the category icon representing a category to which search results belong, wherein the downward paths to a search result is implied by graphical positioning of search results within a category icon (see col. 11, lines 4-21 et seq).

Conard does not explicitly indicate the claimed receiving search results.

Egger discloses claimed receiving search results (the Graphical User Interface (GUI) Program may be used to display the results of the search on the display. The GUI is a user interface program. The GUI Program contains three main subroutines: Cases-In Display Subroutine (CIDS), Cases-After Display Subroutine (CADS) and Similar-Cases Display Subroutine (SCDS). The main subroutines receive information from the corresponding subroutines Cases-In, Cases-After and Similar-Cases of the CSPDM, see col. 5, lines 53-67).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the receiving search results of Egger's teachings would have allowed Conard's system graphically displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

As to claim 4,

Conard teaches, further comprising: representing the search results displayed within the category icon as category member icons (see col. 11, lines 4-21 et seq).

As to claim 5,

Conard teaches further comprising: distinguishing between categories to which the displayed category member icons by at least one of shape, color and sound, in accordance with a subcategory to which less than all of the displayed category member icons within a category icon belong (see col. 11, lines 4-21 et seq).

Conard does not explicitly indicate the claimed subcategories.

Egger discloses the claimed subcategories (see col. 43, lines 30-34, Egger).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the subcategories of Egger's teachings would have allowed Conard's system graphically displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

As to claim 6,

Conard teaches further comprising: selecting a category member icon (see col. 11, lines 4-27); and

generating a perceptible excerpt relating to the selected category member icon comprising at least one of textual, aural, imagery or video data (see col. 11, lines 19-55 et seq).

As to claim 7,

Conard teaches further comprising: representing the search results as a number appearing within the category icon, the number representing the quantity of data elements from the search results that fall within the category represented by the category icon (see col. 11, lines 19-27).

As to claim 8,

Conard teaches further comprising: representing on the user screen, all data elements appearing within the search results (see col. 2, lines 2-15 et seq).

As to claim 9,

Conard teaches further comprising: A simple API comprising a category path and a URL for each data element in the search result (see col. 7, lines 29-40).

As to claim 10,

Conard teaches farther comprising: displaying explicit downward path information representing the downward path from the displayed category to a selected data element within the displayed category (see col. 11, lines 4-21 et seq).

As to claim 11,

Conard teaches further comprising: changing the appearance of a category member icon after the category member icon has been accessed (see col. 11, lines 19-29 et seq).

As to claim 12,

Conard teaches further comprising: drilling out to directly access a selected category member (see col. 11, lines 19-29 et seq).

As to claim 13,

Conard teaches further comprising: drilling down to display subcategories for a selected category (see col. 10, lines 13-16 et seq).

Conard does not explicitly indicate the claimed subcategories.

Egger discloses the claimed subcategories (see col. 43, lines 30-34, Egger).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the subcategories of Egger's teachings would have allowed Conard's system graphically

displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

As to claim 14,

Conard teaches further comprising: Zooming in to displayed category member icons (see col. 11, lines 19-27 et seq);

Enlarging the display space larger than the user display (see col. 2, lines 2-19 et seq); and

Scanning category member icons across the user screen (see col. 11, lines 19-27 et seq).

As to claim 15,

Conard teaches wherein the size of the category icons is proportional to the number of search results within the category (see col. 11, lines 19-27, Fig. 23).

As to claim 16,

Conard teaches further comprising: accessing a category icon (see col. 11, lines 19-27, Fig. 23);

changing the appearance of the viewed icon to indicate at least one of the icon has been access or the icon should be accessed again (see col. 11, lines 19-27 and Figs. 22-25).

As to claim 17,

Conard teaches further comprising: Deriving the numerical relevance rank for a search result data element from the data element's position within a search results list (see col. 11, lines 49-55 et seq);

and Displaying the data element's numerical relevance rank within the category member icon representing the data element (see col. 11, lines 49-65 et seq).

With respect to claim 18,

Conard discloses a method of presenting search results, (see col. 2, lines 2-15, Fig. 2) comprising:

receiving search results from a database (see col. 2, lines 2-15);
organizing the search results by category (see col. 11, lines 4-21, Figs. 22-25);
graphically displaying a three-dimensional representation the search results within at least one category icon (see col. 11, lines 19-27), the category icon representing a category to which search results belong, wherein the downward paths to a search result is implied by graphical positioning of search results within a category icon (see col. 2, lines 2-15 and col. 7, lines 28-44 et seq);

representing the search results displayed within the category icon as category member icons (see col. 11, lines 19-27 et seq); and

distinguishing between categories to which the displayed category member icons by at least one of shape, color and sound, in accordance with a subcategory to which less than all of the displayed category member icons within a category icon belong (see col. 11, lines 19-27 et seq).

Conard does not explicitly indicate the claimed receiving search results.

Egger discloses claimed receiving search results (the Graphical User Interface (GUI) Program may be used to display the results of the search on the display. The GUI is a user interface program. The GUI Program contains three main subroutines: Cases-

In Display Subroutine (CIDS), Cases-After Display Subroutine (CADS) and Similar-Cases Display Subroutine (SCDS). The main subroutines receive information from the corresponding subroutines Cases-In, Cases-After and Similar-Cases of the CSPDM, see col. 5, lines 53-67).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the receiving search results of Egger's teachings would have allowed Conard's system graphically displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

Conard does not explicitly indicate the claimed subcategories.

Egger discloses the claimed subcategories (see col. 43, lines 30-34, Egger).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the subcategories of Egger's teachings would have allowed Conard's system graphically displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

With respect to claim 19,

Conard discloses a method of presenting search results (see col. 2, lines 2-15, Fig. 2), comprising:

receiving search results from a database (see col. 2, lines 2-15);

organizing the search results by category (see col. 11, lines 4-21);

graphically displaying a three-dimensional representation the search results within at least one category icon (see col. 11, lines 4-21), the category icon representing a category to which search results belong, wherein the downward paths to a search result is implied by graphical positioning of search results within a category icon (see col. 2, lines 2-15 and col. 7, lines 28-44 et seq);

representing the search results displayed within the category icon as category member icons (see col. 2, lines 2-15 and col. 11, lines 19-27);

distinguishing between categories to which the displayed category member icons by at least one of shape (see col. 11, lines 4-21 et seq), color and sound, in accordance with a subcategory to which less than all of the displayed category member icons within a category icon belong, wherein the size of the category icons is proportional to the number of search results within the category (see col. 11, lines 49-65 et seq).

Conard does not explicitly indicate the claimed receiving search results.

Egger discloses claimed receiving search results (the Graphical User Interface (GUI) Program may be used to display the results of the search on the display. The GUI is a user interface program. The GUI Program contains three main subroutines: Cases-In Display Subroutine (CIDS), Cases-After Display Subroutine (CADS) and Similar-Cases Display Subroutine (SCDS). The main subroutines receive information from the corresponding subroutines Cases-In, Cases-After and Similar-Cases of the CSPDM, see col. 5, lines 53-67).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the

receiving search results of Egger's teachings would have allowed Conard's system graphically displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

Conard does not explicitly indicate the claimed subcategories.

Egger discloses the claimed subcategories (see col. 43, lines 30-34, Egger).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the subcategories of Egger's teachings would have allowed Conard's system graphically displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

With respect to claim 20,

Conard discloses method of requesting the display of search results based on the category paths of the search results (see col. 2, lines 2-15), the method comprising:

under control of a client system, displaying a search request window (see col. 2, lines 2-15 and Figs. 22-25); and

in response to the entry and selection of a search request, sending the search request to a server system (see col. 2, lines 2-15 and Figs. 22-23);

under control of the server system, receiving the request, having the search conducted by a search engine (see Figs. 6-7 and col. 2, lines 2-15);

writing GUI script software capable of generating every potential arrangement of matching web sites in the context of their respective parent category and subcategories (see col. 11, lines 4-27 et seq);

and downloading the GUI script software to the browser software on the client system (see col. 3, lines 32-49 et seq);

under control of the client system, displaying matching web sites in the context of their respective parent categories, and upon the user selecting, with a selection device, a parent category (see col. 11, lines 49-65 et seq), displaying the matching web sites of the selected parent category in the context of their respective first uncommon level of subcategories (see col. 11, lines 4-21 et seq).

Conard does not explicitly indicate the claimed receiving search results.

Egger discloses claimed receiving search results (the Graphical User Interface (GUI) Program may be used to display the results of the search on the display. The GUI is a user interface program. The GUI Program contains three main subroutines: Cases-In Display Subroutine (CIDS), Cases-After Display Subroutine (CADS) and Similar-Cases Display Subroutine (SCDS). The main subroutines receive information from the corresponding subroutines Cases-In, Cases-After and Similar-Cases of the CSPDM, see col. 5, lines 53-67).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the receiving search results of Egger's teachings would have allowed Conard's system graphically displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

Conard does not explicitly indicate the claimed subcategories.

Egger discloses the claimed subcategories (see col. 43, lines 30-34, Egger).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to have combined the cited references, because the subcategories of Egger's teachings would have allowed Conard's system graphically displays search results with a user interface, as suggested by Egger at col. 1, lines 13-15 et seq.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790 or Customer Service (703) 306-5631. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for any communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.



Mohammad Ali

Patent Examiner

AU 2177

MA

February 19, 2004